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Total Number Of Pages In This Submission

11

Applicati n Number

09/147,919

Filing Date

March 23, 1999

First Named Inventor

Mary Jane Cardosa

Group Art Unit

1648

Examiner Name

M. Mosher

Attorney Docket No.

20239-0703

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☒ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Supplemental Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
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☐ After Allowance Communication to
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

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or

Individual Name

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Date

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April 3, 2003

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April 3, 2003

Peggy Nichols

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#21/E
6/13/03

Applicant: CARDOSA, Mary Jane et al.

Filing Date: March 23, 1999

Examiner: M. Mosher

Serial No.: 09/147,919

Group Art Unit: 1648

Title: **RECOMBINANT MVA VIRUS EXPRESSING DENGUE VIRUS
ANTIGENS, AND THE USE THEREOF IN VACCINES**

Commissioner for Patents
Washington, D.C. 20231

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SUPPLEMENTAL RESPONSE TO FINAL OFFICE ACTION

This paper is submitted in connection with the Continued Prosecution Application (CPA) filed with the U.S. Patent and Trademark Office on January 7, 2003 and in response to the remarks set forth in the Advisory Action issued November 25, 2002 by the U.S. Patent and Trademark Office.

I. REMARKS

In the Advisory Action, the Office indicated that the amendment to the claims would be denied entry because the insertion of the term "homologous" raises new issues. The Office also indicated that even if support for the term "homologous" is found in the specification, there may be issues of enablement because of recombination and instability of the recombinant poxvirus.

In response to the Office's remarks, Applicants direct the Office's attention to page 8, the first line of the second full paragraph that clearly indicates that homologous recombination is used to prepare recombinant MVA vaccinia virus. Thus, the term is supported and entry of the claim amendments are respectfully requested.